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CERTIFICATE OF FACSIMILE TRANSMISSION
37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted to: Commissioner for Patents, Washington, D.C. 20231, Attn: Examiner Scott Priebe, GAV 1632, facsimile number (703) 746-3131 on the date below:

April 10, 2003
 Date

 Steven L. Highlander

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Official
 PTO FAX
 4/11/03
 S.D.I.

In re Application of:
 Dennis E. HALLAHAN *et al.*

Group Art Unit: 1632

Serial No.: 08/540,343

Examiner: S. Priebe

Filed: October 6, 1995

Atty. Dkt. No.: ARCD:194/SLH

For: METHODS AND COMPOSITIONS FOR
 VIRAL ENHANCEMENT OF CELL
 KILLING

INVENTORS' DECLARATION UNDER 37 C.F.R. §1.131

Hon. Commissioner for Patents
 Washington, D.C. 20231

I, Ralph R. Weichselbaum, do declare that:

1. We are citizens of the United States and named inventors on the above-captioned application.

2. A combination herpesvirus-radiation treatment of human tumor cells was performed in this country before June 23, 1994. Attached to this declaration is an invention disclosure prepared and signed by two of the inventors that is dated prior to June 23, 1994 (date having been redacted).

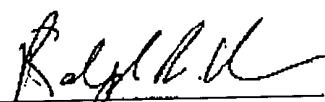
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P.03

Apr-08-03 02:23P

3. We hereby declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the referenced patent application or any patent issued thereon.

4/8/03
Date


Dr. Ralph Weichselbaum

Date

Dr. Dennis Hallahan

Date

Dr. Gregory Sibley

Date

Dr. Donald Kuse

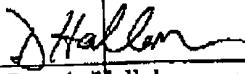
Date

Dr. Bernard Roizman

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Date

Dr. Ralph Weichselbaum



Date

Dr. Dennis Hallahan

Date

Dr. Gregory Sibley

Date

Dr. Donald Kufe

Date

Dr. Bernard Roizman

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APR. 8 2003 1:15PM VUMC RADITION ONCOLOGY
Received 04/08/2003 13:59 in 00:50 on line [2] for SH01973 Printed 04/08/2003 14:01 * pg 3/3 NO. 049 P. 3

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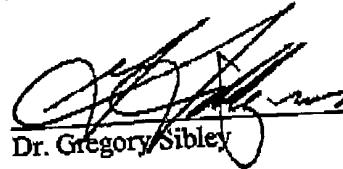
Dr. Ralph Weichselbaum

Date

Dr. Dennis Hallahan

Date

Dr. Gregory Sibley



Date

Dr. Donald Kufe

Date

Dr. Bernard Roizman

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04/10/2003 16:15 DR DON KUFE PAGE 03
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Date

Dr. Ralph Weichselbaum

Date

Dr. Dennis Hallahan

Date

Dr. Gregory Sibley

Date

Dr. Donald Kufe

Date

Dr. Bernard Roizman

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BERNAD ROIZMAN PAGE 02/02
04/03/2003 10:48 7021631

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Date

Dr. Ralph Weichselbaum

Date

Dr. Dennis Hallahan

Date

Dr. Gregory Sibley

Date

Dr. Donald Kufe

April 4 2003
Date

Dr. Bernard Roizman

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UofC-UCTECH

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DRAFT

ARCH Project Manager

**University of Chicago
Confidential Invention Disclosure**

UCHI # 499

Please print or type.

1. TITLE OF INVENTION/SOFTWARE

Enhancement of radiation killing with viruses

2. INVENTOR(S)/Title*

Dennis Hallahan, MD

Citizenship

Dept./Campus Address

Telephone #

US

Radiation Onc

26819

Ralph Weichselbaum, MD

US

Radiation Onc

26819

Bernard Roizman

Virology

21898

* Please attach curriculum vitae

3. DESCRIPTION OF INVENTION - Attach any additional information or background documentation.

HSV-1 mutants with X34.5 deleted are inoculated into human tumors and irradiated.

The combination of virus and radiation is more cytotoxic than either agent alone.

4. DISCLOSURE RECORD	DATE	REFERENCES & COMMENTS Use separate sheet if necessary or attach copy.
A. First oral presentation of invention at seminars, meetings, conferences, etc.	none	
B. First publication, e.g. posters, articles, abstracts, seminars	none	
C. First successful demonstration, if any (reduction to practice)		Lab notebooks
D. Other Publications to Date		
E. Anticipated Publications		

(over)

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**THE UNIVERSITY OF CHICAGO
CONFIDENTIAL INVENTION DISCLOSURE DOCUMENT**

GUIDE FOR PREPARATION OF INVENTION DISCLOSURE

Completing this confidential document is the first step toward protecting and commercializing your invention. After the invention disclosure is completed, it will be recorded and filed at the Technology Center. A copy will be sent to ARCH Development Corporation (ARCH). ARCH is a non-profit affiliate of the University, and is responsible for patents, licenses and the formation of new companies at the University and Argonne National Laboratory.

The following instructions refer to the correspondingly numbered sections on the attached document.

1. Disclose only one invention. Use a separate form for each invention.
2. In naming co-inventors and co-authors, be careful to include all of those who had a creative role in the invention or software development. However, do not add names to recognize others who were not inventors or authors. Either the omission of a co-inventor/author or the inclusion of a non-inventor/author could invalidate a patent or impair a copyright.
3. Use simple language to describe your invention and define technical terms.
4. If you have published or presented this invention previously, please submit copies.
 - (A) Oral presentation or publication to third parties more than one year before filing a U.S. patent application will preclude obtaining U.S. patent protection. Publication or oral presentation to third parties prior to the filing of a patent application will preclude foreign patenting.
 - (B) The term "first publication" means the first time any member of the general public (without restriction of confidentiality) would have been able to legally gain access to your written or printed detailed description of the invention. (For example, the date when a journal containing your description is first mailed to the public.)
 - (C) Reduction to practice occurs when an invention has been (1) embodied in some physical form which is (2) used to demonstrate its workability.
5. (A) Give the applicable contract or grant number(s) if the invention was made in connection with any sponsored research. Indicate Principal Investigators by the notation P.I.
 - (B) Significant use of University-administered resources—whether funds or facilities—will normally give rise to University ownership rights in an invention. (For more details, you may request a copy of the University's Statute 20 Patents and Software policy from the Technology Center.)
6. Please provide a general description of the background research and pertinent prior work done in the field related to your invention. If possible, list five of the most relevant publications.
7. Please note all documents or forms in which your invention has been recorded or described to substantiate your invention's history, such as lab notes. Whenever possible, it is desirable to have a witness sign such documents. Actual documents may be requested if patent application is filed.
10. Please list names and telephone numbers of individuals who possess technical or marketing knowledge related to your potential application that could assist in the commercial evaluation of the invention.
11. All inventors must sign and date the disclosure form. Only persons other than co-inventors who understand the invention may serve as witnesses; departmental colleagues are excellent resources.

PLEASE SUBMIT ALL COPIES TO: The University of Chicago
Technology Center
970 E. 58th Street
Chicago, IL 60637

Questions about the invention disclosure process, contact the Technology Center, Leonora Beck 702-8606.
Questions about ARCH Development Corporation, contact Robert Nelsen, 702-0304.

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